REMARKS

Claims 1-29 are pending in the present application. Applicant proposes amending independent claims 1 and 18 as indicated above. Support for the proposed amendments may be found at least in lines 11-12 on page 2 of the Patent Application. Applicant respectfully submits that the proposed amendments place the application in better condition for allowance and/or appeal. Furthermore, Applicant respectfully submits that the Examiner has already performed a search that encompasses the proposed amended independent claims 1 and 18 set forth herein. In particular, the Examiner has indicated that a search was performed using an interpretation of the term "paging request" that was broader than set forth in amended claims 1 and 18. See item 4 in the Final Office Action. Accordingly, Applicant submits that the proposed amendments do not raise any additional issues that will require a new search. Applicant therefore requests that the proposed amendments be entered.

In the Office Action, claims 1-10 and 13-28 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Streter (U.S. Patent No. 6,456,858). Claims 11, 12, and 29 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Steter in view of Corriveau, et al (U.S. Patent No. 5,918,177). The Examiner's rejections are respectfully traversed.

Independent claims 1 and 18 set forth an apparatus and a method, respectively, for wirelessly paging a mobile device using a network operating according to multiple wireless technologies based at least in part on a technological capability of the mobile device. Claims 1 and 18 also set forth, among other things, determining whether the wireless technology of the mobile unit corresponds to at least one of the multiple wireless technologies of the network based on the accessed information and generating a paging that is used to determine a geographic area that includes the mobile device. The paging request is generated based at least partially on

the technological capability of the mobile device when the wireless technology of the mobile unit corresponds to at least one of the multiple wireless technologies of the network.

As defined in the specification, wireless technologies are the technologies used to support wireless communications between mobile devices and networks. Wireless technologies include personal communications services (PCS) and cellular telecommunication systems. See, *e.g.*, Patent Application, page 2, ll. 25-31. Thus, one example of a network operating according to multiple wireless technologies could be a network operating according to personal communications services (PCS) technology and cellular telecommunication technology. As also defined in the specification in accordance with common usage in the art, paging requests are messages that are broadcast via multiple base stations to determine the cell that currently includes a particular mobile unit. For example, in order to find a mobile device, a mobile switching center (MSC) sends out a paging request to sets of cells that are in communication with the MSC (and possibly to cells of adjacent MSCs). See Patent Application, page, 2, ll. 11-13.

Streter describes a dual-mode wireless telephone communication system 10 that may be used for wireless communication with dual-mode wireless telephones 12. The dual-mode wireless telecommunications system 10 includes a first wireless telephone system that outputs analog telephone signals for transmission according to a first wireless protocol and a digital wireless system 20 that includes a digital base station 22 for transmission according to a digital-only transmission protocol. See Streter, col. 5, ll. 15-39 and Figure 1. If a mobile telephone switching office 18 detects a prescribed traffic condition based on a blockage factor exceeding a threshold, a control processor 52 may select at least one dual-mode mobile unit 12 for rescan. The control processor 52 then instructs the base stations that are in communication with each

selected dual-mode telephone 12 to transmit a rescan control command. The base stations 22 received the control command and transmits the rescan control command to the selected mobile units. See Steter, col 11, line 58- col. 12, line 13.

However, Steter does not teach or suggest providing a paging message that is used to locate the cell that currently includes a selected mobile unit, as set forth in independent claims 1 and 18. The control messages described by Steter are provided to base stations that are in communication with the selected dual-mode telephones 12. The techniques described in Streter therefore assume that the selected dual-mode telephones 12 have already been located and the cells that include the dual-mode telephones 12 are already known. Consequently, there is no need to provide any paging messages because there is no need to locate the cells including the selected dual-mode telephones 12.

For at least the aforementioned reasons, Applicant respectfully submits that Streter fails to teach or suggest all the limitations of the claimed invention. In particular, Streter fails to teach or suggest generating a paging request that is used to determine a geographic area that includes the mobile device and is based at least partially on a technological capability of the mobile device when a wireless technology of the mobile unit corresponds to at least one of the multiple wireless technologies of the network, as set forth in independent claims 1 and 18. Thus, Applicant respectfully submits that the present invention is not anticipated by Streter and requests that the Examiner's rejections of claims 1-10 and 13-28 under 35 U.S.C. § 102(e) be withdrawn.

Applicants also submit that the present invention is not obvious over the prior art to record. To establish a *prima facie* case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *In re Royka*, 490 F.2d 981, 180

U.S.P.Q. 580 (CCPA 1974). As discussed above, Streter is completely silent with regard to paging requests and therefore fails to teach or suggest generating paging request that is used to determine a geographic area that includes the mobile device and is generated based at least partially on a technological capability of the mobile device when a wireless technology of the mobile unit corresponds to at least one of the multiple wireless technologies of the network, as set forth in independent claims 1 and 18.

Corriveau describes a mobile switching center (MSC) for wirelessly paging a mobile device based on the mobile device's expected service type. For example, some mobile devices may only be capable of receiving voice services, and not asynchronous data services and/or facsimile services. Thus, Corriveau describes modifying pages from the mobile switching centers to include service codes that indicate the service type (*e.g.* voice service, asynchronous data service, facsimile service) for the call. However, Corriveau fails to describe or suggest paging a mobile device using a network operating according to multiple wireless technologies. Furthermore, as previously admitted by the Examiner on page 3 of the Final Office Action dated May 24, 2005, Corriveau fails to describe or suggest generating a paging request for the mobile device that is based at least partially on the technological capability of the mobile device when the wireless technology of the mobile unit corresponds to at least one of the multiple wireless technologies of the network.

For at least the aforementioned reasons, Applicant respectfully submits that the cited references fail to teach or suggest all the limitations of the claimed invention.

Applicant further submits that the cited references fail to provide any suggestion or motivation to combine and/or modify the prior art to arrive at the claimed invention. Streter is completely silent with regard to providing paging messages and so provides no suggestion or

motivation for implementing paging messages in any manner. Streter is also completely silent with regard to the service types described in Corriveau and so provides no suggestion or motivation to combine the subject matter described in Streter with any of the subject matter described in Corriveau. Corriveau is completely silent with regard to dual-mode wireless communication systems and so provides no suggestion or motivation to combine the subject matter described in Corriveau with any of the subject matter described in Streter.

For at least the aforementioned reasons, Applicant respectfully submits that the Examiner has failed to make a *prima facie* case that the present invention is obvious over Streter in view of Corriveau. Applicant requests that the Examiner's rejections of claims 11-12 and 29 under 35 U.S.C. 103(a) be withdrawn.

For the aforementioned reasons, it is respectfully submitted that all claims pending in the present application are in condition for allowance. The Examiner is invited to contact the undersigned at (713) 934-4052 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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/Mark W. Sincell/
Mark W. Sincell, Ph.D.
Reg. No. 52,226
Williams Morgan & Amerson, P.C.
10333 Richmond Avenue, Suite 1100
Houston, TX 77042
(713) 934-7000
(713) 934-7011 (Fax)

AGENT FOR APPLICANT